



# TRANSMITTAL FORM

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First Named Inventor	Rainer GADOW et al.
Group Art Unit	
Examiner Name	
Attorney Docket Number	4965-000160

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## ENCLOSURES (check all that apply)

 Fee Transmittal Form Fee Attached Amendment / Response After Final Affidavits/declaration(s) Extension of Time Request Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 Assignment Papers (for an Application) Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s) \_\_\_\_\_ After Allowance Communication to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information Status Letter Other Enclosure(s) (please identify below):

English translation of International Preliminary Examination Report; and postcard.

## Remarks

The Commissioner is hereby authorized to charge any additional fees that may be required under 37 CFR 1.16 or 1.17 to Deposit Account No. 08-0750. A duplicate copy of this sheet is enclosed.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Harness, Dickey &amp; Pierce, P.L.C.

Attorney Name  
Christopher M. BrockReg. No.  
27313

Signature

Date

October 27, 2003

## CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date indicated below.

Typed or printed name	Christopher M. Brock	Date	October 27, 2003
Signature			

## PATENT COOPERATION TREATY

**PCT**  
**NOTIFICATION OF TRANSMITTAL**  
**OF COPIES OF TRANSLATION**  
**OF THE INTERNATIONAL PRELIMINARY**  
**EXAMINATION REPORT**  
(PCT Rule 72.2)

From the INTERNATIONAL BUREAU

To:

GAHLERT, Stefanie Weller & Partner  
Witte, Weller & Partner Patentanwälte  
Postfach 105462  
70047 Stuttgart  
Germany

30. Sep. 2003

Frist:  notiert: 

**Date of mailing (day/month/year)**  
17 September 2003 (17.09.03)

**Applicant's or agent's file reference**  
4823P102WO - SG/sc

**IMPORTANT NOTIFICATION**

**International application No.**  
PCT/EP02/01743

**International filing date (day/month/year)**  
19 February 2002 (19.02.02)

**Applicant**  
SCHOTT GLAS et al

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

CA,CN,JP,KP,KR,US

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AP,EA,EP,AE,AG,AL,AM,AT,AU,AZ,BA,BB,BG,BR,BY,BZ,CH,CO,CR,CU,CZ,DE,DK,DM,DZ,EC,EE,ES,FI,GB,GD,GE,GH,GM,HR,HU,ID,IL,IN,IS,KE,KG,KZ,LC,LK,LR,LS,LT,LU,LV,MA,MD,MG,MK,MN,MW,MX,MZ,NO,NZ,OM,PH,PL,PT,RO,RU,SD,SE,SG,SI,SK,SL,TJ,TM,TN,TR,TT,TZ,UA,UG,UZ,VN,YU,ZA,ZM,ZW,OA

**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO  
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1211 Geneva 20, Switzerland

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Translation

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 4823P102WO - SG/sc	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP02/01743	International filing date (day/month/year) 19 February 2002 (19.02.02)	Priority date (day/month/year) 06 March 2001 (06.03.01)
International Patent Classification (IPC) or national classification and IPC H05B 3/74.		
Applicant SCHOTT GLAS		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I  Basis of the report
- II  Priority
- III  Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV  Lack of unity of invention
- V  Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI  Certain documents cited
- VII  Certain defects in the international application
- VIII  Certain observations on the international application

Date of submission of the demand 10 September 2002 (10.09.02)	Date of completion of this report 06 February 2003 (06.02.2003)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/EP02/01743

## I. Basis of the report

1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):

 the international application as originally filed. the description, pages 1-13, as originally filed,

pages \_\_\_\_\_, filed with the demand,

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

 the claims, Nos. 1-10, as originally filed,

Nos. \_\_\_\_\_, as amended under Article 19,

Nos. \_\_\_\_\_, filed with the demand,

Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

 the drawings, sheets/fig 1/1, as originally filed,

sheets/fig \_\_\_\_\_, filed with the demand,

sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,

2. The amendments have resulted in the cancellation of:

 the description, pages \_\_\_\_\_ the claims, Nos. \_\_\_\_\_ the drawings, sheets/fig \_\_\_\_\_

3.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

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**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-10	YES
	Claims		NO
Inventive step (IS)	Claims	1-10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-10	YES
	Claims		NO

**2. Citations and explanations**

See supplemental sheet

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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims	1 - 10	YES
	Claims		NO
Inventive step (IS)	Claims	1 - 10	YES
	Claims		NO
Industrial applicability (IA)	Claims	1 - 10	YES
	Claims		NO

## 2. Citations and explanations

1. This report makes reference to the following documents:

**D1:** DE-A-31 05 065 (LICENTIA GMBH) 19 August 1982

**D2:** US-A-6 037 572 (COATES DONALD A ET AL)  
14 March 2000.

2. Both **D1** and **D2** could be regarded as the closest prior art. Both documents disclose (see D1, page 3, line 16, to page 4, line 20, together with Figure 1, or D2, column 5, line 1, to column 8, line 68, together with Figures 2 and 2A) a ceramic hob which comprises a glass or glass-ceramic hotplate provided with an electrical heating element layer and an insulating layer between the hotplate and the electrical heating element layer.
3. The subject matter of Claim 1 differs therefore from the above-mentioned disclosures in that the insulating layer consists of a plurality of layers which have a porosity that decreases towards the heating element layer.

This feature is not described in any available document. Claim 1 is therefore novel within the meaning of PCT Article 33(2).

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4. The problem to be solved by the present invention is therefore understood to be that of increasing the long-term stability of the laminar structure and of ensuring the dielectric strength of the insulating layer.

This is achieved by means of the above-mentioned distinguishing features. The special use of such graded layers allows progressive matching of the coefficients of thermal expansion between the glass-ceramic and the heating layer.

The characterizing features are neither disclosed nor suggested in the international search report documents. In view of the teaching of the available documents, the most that could be argued is that the replacement of the known insulating layer by a plurality of (e.g., two) layers which are porous would be obvious to a person skilled in the art. However, it is not indicated that these layers have "*a porosity which decreases towards the heating element layer*", nor are there any hints that it would be obvious to a person skilled in the art to apply this feature.

Consequently, the subject matter of Claim 1 involves an inventive step within the meaning of PCT Article 33(3).

5. Independent Claims 2 to 10 define advantageous embodiments of the hob according to Claim 1. Consequently, they also comply with the requirements of PCT Article 33(2) and (3).